

the answer that proposition may receive, the ultimate course upon the part of this Government will be defined.

I think it not probable that the offer be declined upon the ground upon which it is understood it was refused by Mr. Calhoun, to wit, that a more satisfactory adjustment might be obtained through the medium of negotiation, this Government would then submit a new proposition, and so resume the negotiation; but that if it be refused on such terms as to warrant them in assuming that our Government has determined to insist upon the extreme claim, and to decline both negotiation and arbitration, the Government will treat the offer as a final one, and abide the result.

Of course these opinions are founded upon the observations of the Earl of Aberdeen, and I am quite sure that the Earl of Aberdeen has no idea at present of accepting the compromise contained in the President's proposition, it would not surprise me if an arrangement upon that basis should prove acceptable to large and important classes in this country, indeed comprised of principally by the Hudson Bay Company and those in its interest. That the Ministry would find it difficult and hazardous to prefer war to such a settlement may be imagined; although you may assume it to be certain that when war becomes inevitable, it will receive the undivided support of the British people.

I believe the Government and people here are quite prepared for the re-assertion in the message of the President's opinions expressed in his inaugural address; and perhaps for a recommendation by him to terminate the joint occupation in the manner provided by the existing treaty. And I also think that, unless the recommendations in the message should be such as to discourage further negotiation, and to manifest a determination to insist upon our whole right, they would not lead to any immediate measures upon the part of this Government, or materially add to the embarrassment in which the relations between the two countries appear to be at present involved.

Mr. Buchanan to Mr. McLane.

DEPARTMENT OF STATE,
WASHINGTON, DECEMBER 13, 1845.

Sir: You will receive by the Cambria a copy of the President's message, and the documents accompanying it, in relation to Texas and Oregon. These are all which have yet been printed.

You will observe that, whilst the President has recommended that the necessary notice be given to abrogate the convention, he has carefully avoided to recommend any legislative measure which could in the mean time be put into effect; and it is not apprehended that Congress will adopt any such measure.

The message has been well received throughout the country, and its doctrines generally well liked, meet the approbation of Congress.

The President sincerely desires to preserve our friendly relations with Great Britain. His policy with that and all other nations is peace, so long as this can be maintained consistently with the national rights and honor. The Oregon question is an important one, and it is his duty to maintain it upon its present basis; and it is clear that, if there should be any movement towards its adjustment, this must originate with Great Britain. Should that Government take any further step with a view to settle the controversy, the President would judge of the character of the proposition when made; and in his opinion, it should be such as to justify this, he would feel inclined to submit it to the Senate for their previous advice, before taking any other action upon it. As the determination on any such proposition might involve the issue of peace or war between the two countries, he would feel it to be his duty to consult his constitutional advisers before a final decision. I deem it necessary to give you this information, not that you may make any suggestion to the British Government, but to enable you to regulate wisely your conversation and conduct in the critical position in which you are now placed. What the result might be in the Senate, I cannot anticipate.

The President has received information, from a variety of sources which he cannot disregard, that Great Britain is now making extensive warlike preparations. As her relations with all the Powers of Europe seem at present to be of a peaceful character, the President would judge it to be his duty to make these preparations look to a rupture with the United States on the Oregon question. It is of vast importance that this Government should, as early as possible, ascertain their true character. You are therefore instructed to embrace the first opportunity of bringing this subject to the notice of the Earl of Aberdeen in such a manner as you may deem proper. It is true that on more than one occasion Mr. Pakenham has informed me in conversation that these warlike preparations had been commenced some time before the existing difficulties between the two countries had assumed their present serious aspect, and had no connection whatever with the Oregon question; but yet it would be satisfactory to receive such an assurance in a more authoritative and authentic form. The President is also anxious to learn your opinion upon this subject with the least practicable delay.

JAMES BUCHANAN.

LOUIS McLANE, Esq. &c.

Mr. Buchanan to Mr. McLane.

DEPARTMENT OF STATE,
WASHINGTON, DECEMBER 29, 1845.

Sir: I have the honor to acknowledge the receipt of your despatches to No. 24, inclusive.

The Senate having unanimously, as I am informed, confirmed your appointment as Envoy Extraordinary and Minister Plenipotentiary of the United States of America at the Court of the United Kingdom of Great Britain and Ireland, I now transmit to you your commission in that character.

You were correct in supposing that the British Government would again offer the Oregon question to some friendly Power. On Saturday last Mr. Pakenham delivered me a communication making an offer to refer this question, of which I transmit you a copy. You will not fail to observe that he does not propose a reference of the title to the whole question, (territory), but merely a reference to the question of joint occupation of it between the parties. It is strange that such a proposition should have been submitted by the British Government in the face of the President's claim to the whole territory, after it had been so recently affirmed in the most solemn manner by my letter of the 15th of August last, withdrawing my proposition for a compromise by the 49th parallel of latitude. To accept the proposition under such circumstances would be for the President to admit that he had committed an error in acknowledging the American title to the whole territory, and to acknowledge, in the very submission of the question to arbitration, that Great Britain had a better title to the whole territory than his functions should be confined to an "equitable division" of it between the parties. In this respect the present proposition is unlike the former offer of the British Government, which was a general proposition to arbitrate. If no other reason exists for declining the present offer, it may be deemed sufficient by the President. You may therefore consider it certain that it will be rejected. I presume that the British Government could not have anticipated a different result; and, from my conversation upon the subject with Mr. Pakenham on Saturday last, he will find that he has been very correct in supposing that it would be rejected.

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Mr. Buchanan to Mr. McLane.

DEPARTMENT OF STATE,
WASHINGTON, JANUARY 29, 1846.

Sir: Your despatch to No. 31, inclusive, has been duly received at this Department. Having already communicated to you a copy of Mr. Pakenham's letter of the 27th of December last, proposing to arbitrate the Oregon question, I now enclose herewith a transcript of my reply to that note, dated on the 31st instant.

On the 17th instant Mr. Pakenham called at the Department, and delivered me a note, of which I transmit you a copy, renewing his proposition to arbitrate, but changing the terms. This note has not yet been answered. This delay has been occasioned, not by any doubt as to the propriety of rejecting the proposition, but from a desire, before preparing my answer, to ascertain the impression which had been made upon the British Ministry and people by the President's message and the accompanying correspondence. I had anticipated a visit from Mr. Pakenham soon after the arrival of the Hibernia, but he has not since called at the Department.

Mr. Pakenham's last proposition is substantially the same as the one which was previously presented in my answer to the first. It is true that he now proposes to refer to arbitration "the question of title in either of the two Powers to the whole territory," but yet, annexed to this offer, there is a condition "that, if neither should be found, in the opinion of the arbitrator, to possess a complete title to the whole territory, then he shall divide it between them according to a just appreciation of the respective claims of each." If the Government of the United States should consent to an arbitration upon such terms, it would be equivalent to an invitation, if not a direct invitation, to the arbitrator to divide the territory between the parties. Were it not for this condition, the Government, under any circumstances, to refer the question to arbitration, the title, and the title alone, detached from every other consideration, ought to be the only question submitted. If not confined to this single point, we should have another compromising award like that of the King of the Netherlands.

But arbitration in any form is out of the question.

The title of the United States to its territorial rights on the northwest coast of America, with all its commercial advantages, can never be placed in jeopardy by referring it to the decision of any individuals, whether sovereigns, princes, or subjects. To Great Britain it would be a distant prospect, of comparatively small value, and which, from the nature of things, cannot very long enjoy; but to the United States it is invaluable. To submit arbitration is, therefore, out of the question, it is probable that, under the peculiar circumstances of the case, and from an anxious desire to preserve peace, the Senate, if the question were submitted to them, might advise the President not to insist upon the full extent of our rights, but we could never place in the power of any arbitrator to deprive us of a foot of the soil on the continent south of the 49th parallel of latitude, and of the valuable harbors of Puget's Sound. Such is the fixed determination of the United States.

Again: Even if this were not the case, and a treaty should be submitted to the Senate for arbitration, it could not, by any possibility, obtain the necessary majority in that body.

Upon the whole, the pursuit of arbitration by the British Government can produce no other effect than to involve the question in new difficulties, and, perhaps, by the delay, render an amicable adjustment of it impossible. The fact is, not to be disguised, that the feeling of the country is becoming daily more unanimous and intense in favor of asserting our right to the whole territory, and the debates in Congress and delay to our justice, would be to render the question more difficult of adjustment, and, perhaps, by the delay, render an amicable adjustment of it impossible. The fact is, not to be disguised, that the feeling of the country is becoming daily more unanimous and intense in favor of asserting our right to the whole territory, and the debates in Congress and delay to our justice, would be to render the question more difficult of adjustment, and, perhaps, by the delay, render an amicable adjustment of it impossible.

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The President will never abandon the position he has taken in his message. Clearly convinced of the right of the United States to the whole territory in dispute, and relieved, by the refusal of the British Government to accept of the compromise, from the embarrassment of the question, he would not, unless he had placed him, he would not now authorize the conclusion of a treaty on that basis. But the Senate, his constitutional advisers, are now in session. The question of peace or war may be involved in the issue. They are a branch of the war-making as well as of the treaty-making power. Without their advice and consent, no treaty can be concluded. A rejection of the British ultimatum might probably lead to war; and as a branch of the legislative power, it would be incumbent upon them to authorize the necessary preparations to render this war successful. Under these considerations, the President is induced to say what the President would consent to accept, he must be disappointed. The President will accept nothing less than the whole territory, unless the Senate should otherwise determine. The only question which he will decide is, whether the new proposition, which he has decided to reject, is of such a character to justify its submission to the Senate for their previous advice.

Under all the circumstances by which you may be surrounded, it is left to your sound discretion whether any communication or intimation shall be made to Lord Aberdeen.

JAMES BUCHANAN.

LOUIS McLANE, Esq. &c.

Mr. McLane to Mr. Buchanan—Extracts.

LONDON, FEBRUARY 3, 1846.

Sir: Notwithstanding these difficulties, I still entertain the opinion that it would be in my power, without any approaching a rupture with Great Britain, to maintain the British Government's position upon its present basis; and it is clear that, if there should be any movement towards its adjustment, this must originate with Great Britain. Should that Government take any further step with a view to settle the controversy, the President would judge of the character of the proposition when made; and in his opinion, it should be such as to justify this, he would feel inclined to submit it to the Senate for their previous advice, before taking any other action upon it. As the determination on any such proposition might involve the issue of peace or war between the two countries, he would feel it to be his duty to consult his constitutional advisers before a final decision. I deem it necessary to give you this information, not that you may make any suggestion to the British Government, but to enable you to regulate wisely your conversation and conduct in the critical position in which you are now placed. What the result might be in the Senate, I cannot anticipate.

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Mr. Buchanan to Mr. McLane—[Extracts].

DEPARTMENT OF STATE,
WASHINGTON, FEBRUARY 26, 1846.

Sir: Your despatches to No. 34, inclusive, have been received, and I have the honor to acknowledge the receipt of your despatches to No. 34, inclusive.

The Senate having unanimously, as I am informed, confirmed your appointment as Envoy Extraordinary and Minister Plenipotentiary of the United States of America at the Court of the United Kingdom of Great Britain and Ireland, I now transmit to you your commission in that character.

You were correct in supposing that the British Government would again offer the Oregon question to some friendly Power. On Saturday last Mr. Pakenham delivered me a communication making an offer to refer this question, of which I transmit you a copy. You will not fail to observe that he does not propose a reference of the title to the whole question, (territory), but merely a reference to the question of joint occupation of it between the parties. It is strange that such a proposition should have been submitted by the British Government in the face of the President's claim to the whole territory, after it had been so recently affirmed in the most solemn manner by my letter of the 15th of August last, withdrawing my proposition for a compromise by the 49th parallel of latitude. To accept the proposition under such circumstances would be for the President to admit that he had committed an error in acknowledging the American title to the whole territory, and to acknowledge, in the very submission of the question to arbitration, that Great Britain had a better title to the whole territory than his functions should be confined to an "equitable division" of it between the parties. In this respect the present proposition is unlike the former offer of the British Government, which was a general proposition to arbitrate. If no other reason exists for declining the present offer, it may be deemed sufficient by the President. You may therefore consider it certain that it will be rejected. I presume that the British Government could not have anticipated a different result; and, from my conversation upon the subject with Mr. Pakenham on Saturday last, he will find that he has been very correct in supposing that it would be rejected.

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Mr. Buchanan to Mr. McLane—[Extracts].

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Again: Even if this were not the case, and a treaty should be submitted to the Senate for arbitration, it could not, by any possibility, obtain the necessary majority in that body.

Upon the whole, the pursuit of arbitration by the British Government can produce no other effect than to involve the question in new difficulties, and, perhaps, by the delay, render an amicable adjustment of it impossible. The fact is, not to be disguised, that the feeling of the country is becoming daily more unanimous and intense in favor of asserting our right to the whole territory, and the debates in Congress and delay to our justice, would be to render the question more difficult of adjustment, and, perhaps, by the delay, render an amicable adjustment of it impossible.

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Notwithstanding all you may have seen in the public papers, the notice, unless I am greatly mistaken, will pass Congress, in some form or other, by large majorities of both Houses, as well as the other measures recommended by the President.

The President will never abandon the position he has taken in his message. Clearly convinced of the right of the United States to the whole territory in dispute, and relieved, by the refusal of the British Government to accept of the compromise, from the embarrassment of the question, he would not, unless he had placed him, he would not now authorize the conclusion of a treaty on that basis. But the Senate, his constitutional advisers, are now in session. The question of peace or war may be involved in the issue. They are a branch of the war-making as well as of the treaty-making power. Without their advice and consent, no treaty can be concluded. A rejection of the British ultimatum might probably lead to war; and as a branch of the legislative power, it would be incumbent upon them to authorize the necessary preparations to render this war successful. Under these considerations, the President is induced to say what the President would consent to accept, he must be disappointed. The President will accept nothing less than the whole territory, unless the Senate should otherwise determine. The only question which he will decide is, whether the new proposition, which he has decided to reject, is of such a character to justify its submission to the Senate for their previous advice.

Under all the circumstances by which you may be surrounded, it is left to your sound discretion whether any communication or intimation shall be made to Lord Aberdeen.

JAMES BUCHANAN.

LOUIS McLANE, Esq. &c.

Mr. McLane to Mr. Buchanan—Extracts.

LONDON, FEBRUARY 3, 1846.

Sir: Notwithstanding these difficulties, I still entertain the opinion that it would be in my power, without any approaching a rupture with Great Britain, to maintain the British Government's position upon its present basis; and it is clear that, if there should be any movement towards its adjustment, this must originate with Great Britain. Should that Government take any further step with a view to settle the controversy, the President would judge of the character of the proposition when made; and in his opinion, it should be such as to justify this, he would feel inclined to submit it to the Senate for their previous advice, before taking any other action upon it. As the determination on any such proposition might involve the issue of peace or war between the two countries, he would feel it to be his duty to consult his constitutional advisers before a final decision. I deem it necessary to give you this information, not that you may make any suggestion to the British Government, but to enable you to regulate wisely your conversation and conduct in the critical position in which you are now placed. What the result might be in the Senate, I cannot anticipate.

The President sincerely desires to preserve our friendly relations with Great Britain. His policy with that and all other nations is peace, so long as this can be maintained consistently with the national rights and honor. The Oregon question is an important one, and it is his duty to maintain it upon its present basis; and it is clear that, if there should be any movement towards its adjustment, this must originate with Great Britain. Should that Government take any further step with a view to settle the controversy, the President would judge of the character of the proposition when made; and in his opinion, it should be such as to justify this, he would feel inclined to submit it to the Senate for their previous advice, before taking any other action upon it. As the determination on any such proposition might involve the issue of peace or war between the two countries, he would feel it to be his duty to consult his constitutional advisers before a final decision. I deem it necessary to give you this information, not that you may